

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.60

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Paul And 3 B.  
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11476 U.S. PTO 10

DOCKET NUMBER	ANTICIPATED CLASSIFICATION		PRIOR APPLICATION EXAMINER	ART UNIT
105336.124DIV	CLASS 548	SUBCLASS 491,516	M. Bucknam	1202

Assistant Commissioner for Patents  
WASHINGTON, DC 20231

## ATTENTION BOX PATENT APPLICATION

This is a request for filing a [ ] Continuation [x] Divisional application under 37 C.F.R. § 1.60 of pending prior application Serial No. 08/624,508 filed on April 5, 1996 entitled "Nitric Esters Having Anti-Inflammatory and/or Analgesic Activity and Process for Their Preparation."

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 08/624,508, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS	9 - 20		x \$ 22 =	\$
	INDEPENDENT CLAIMS	1 - 3		x \$ 80 =	
	MULTIPLE DEPENDENT CLAIMS (if applicable)			+ \$260 =	
			BASIC FEE	\$ 770.00	
			TOTAL OF ABOVE CALCULATIONS =		
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
			TOTAL =	\$ 770.00	

2. [ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27  
 is enclosed.  
 was filed in prior application number / and such status is still proper and desired (37 CFR 1.28(a)).
3. [x] The Commissioner is hereby authorized to share any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 08-0219. A duplicate copy of this sheet is enclosed.
4. [x] A check in the amount of \$ 770.00 is enclosed.
5. [x] Cancel in this application original claims 3-8, and 24-30 of the prior application before calculating the filing fee.  
 (At least one original independent claim must be retained for filing purposes.)

[Page 1 of 2]

EXPRESS MAIL LABEL NO. Em5041025544125  
 DATE OF DEPOSIT July 29, 1997

**REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.60, PAGE 2**

6. [x] The inventor(s) of the invention being claimed in this application is (are): Piero Del Soldato
7. [ ] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
8. [x] Amend the specification by inserting before the first line the sentence: "This application is a [ ] continuation [x] division of application number 08/624,508, filed April 5, 1996, pending and allowed."
9. [ ] New formal drawings are enclosed.
10. [x] Priority of foreign application number PCT/EP94/03182, filed on September 23, 1994, claiming priority to MI 94 A 000916, filed on May 10, 1994, in Italy and 9320599.5, filed on October 6, 1993 in Great Britain is claimed under 35 U.S.C. 119(a) - (d).
11. [ ] A preliminary amendment is enclosed.
12. [x] The prior application is assigned of record to NICOX S.A.  
45 Avenue Kleber  
75116 Paris, France
13. [ ] Also enclosed:
14. [x] The power of attorney in the prior application is to at least one of the following: Hollie L. Baker, Reg. No. 31,321; Michael Bevilacqua, Reg. No. 31,091; Michael A. Diener, Reg. No. 37,122; Richard Goldenberg, Reg. No. 38,985; Wayne M. Kennard, Reg. No. 30,271; Wayne A. Keown, Reg. No. 33,923; Ann-Louise Kerner, Reg. No. 33,523; James B. Lampert, Reg. No. 24,564; Gretchen Rice, Reg. No. 37,429; Donald R. Steinberg, Reg. No. 37,241; Colleen Superko, Reg. No. 39,850; Henry N. Wixon, Reg. No. 32,073.
- a. [x] The power of attorney appears in the original papers in the prior application.
- b. [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [ ] Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)
15. [x] Please address all correspondence and facsimiles to:

HALE AND DORR LLP  
1455 Pennsylvania Avenue, N.W.  
Washington, DC 20004-1008  
Tel.: (202) 942-8400  
Fax: (202) 942-8484

29 July 1997  
Date

Hollie L. Baker

Signature

Hollie L. Baker

Typed or printed name

- [ ] Inventor(s)  
[ ] Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.  
[x] Attorney or agent of record  
[ ] Filed under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Del Soldato, Piero  
Serial No.: To Be Assigned  
(Divisional Application of 08/624,508)  
Filed: (Herewith)  
For: Nitric Esters Having Anti-Inflammatory And/Or Analgesic Activity and Process for Their Preparation  
Examiner: M. Bucknum  
Art Unit: 1202  
Attorney Docket No.: 105336.124DIV

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**CERTIFICATE OF MAILING UNDER 37 CFR §1.10**

I hereby certify that this correspondence and the enclosures referenced herein are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" (Express Mail Label No. EM504625544US with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on July 29, 1997.

Karen L. Corey  
Karen L. Corey

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**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**ATTENTION BOX PATENT APPLICATION**

Sir:

Enclosed for filing is a divisional patent application including the following:

1. Request for Filing a Divisional Patent Application Under 37 CFR 1.60;
2. Copy of prior application no. 08/624,508 consisting of:  
27 pages of specification, and  
14 pages of claims;
3. Copy of Declaration for Patent Application filed in prior application;

Applicant: Del Soldato, Piero  
Serial No.: To Be Assigned  
(Divisional Application of 08/624,508)  
Atty Docket: 105336.124DIV  
Page 2

4. Copy of Power of Attorney From Assignee filed in prior application;
5. Copy of Assignment filed in prior application;
7. Copy of Preliminary Amendment filed in prior application;
8. Preliminary Amendment for Divisional Application with Abstract;
9. Information Disclosure Statement with references cited;
10. Hale and Dorr Check No. 35206 for \$770.00; and
11. Stamped, self-addressed postcard.

Respectfully submitted,

HALE AND DORR LLP

By: Hollie L. Baker  
Hollie L. Baker  
Attorney for Applicant  
Registration No. 31,321

Date: July 29, 1997

Hale and Dorr LLP  
1455 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
(617) 526-6000 (telephone)  
(617) 526-5000 (facsimile)

/netuser6/karenc/baker/sama/105336.124/div/divptolt.wpf